

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

United States Court of Appeals  
Fifth Circuit

**FILED**

June 5, 2009

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No. 08-50491  
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Charles R. Fulbruge III  
Clerk

EFREN GARCIA,

Plaintiff - Appellant,

v.

HECTOR MONTENEGRO, Individually; PAUL PEARSON, Individually;  
ELIZABETH VELOZ, Individually; JERRY MOLINOSKI, Individually,

Defendants - Appellees.

\_\_\_\_\_  
Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 3:07-CV-123  
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Before KING, GARWOOD, and DAVIS, Circuit Judges.

PER CURIAM:\*

The judgment below is affirmed essentially for the reasons set forth in the district court's well-reasoned Memorandum Opinion and Order Granting Defendants' Motion for Summary Judgment.

AFFIRMED.

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.